

L-Atti tal-Inkjesta datata 19 ta' Novembru 2019, rigward skont it-Termini ta' Referenza ta' l-Inkjesta Pubblika dwar l-Assassinju ta' Daphne Caruana Galizia.

Seduta miżmuma illum l-Erbgha 4 ta' Novembru 2020, fis-2:00 p.m. fit-Tieni Sular, Awla 20, il-Qorti.

Xhud **Brian Tonna** iben il-mejjet Renald u Victoria nee` Portelli, imwield il-Pieta` u residenti Marsaskala bil-Malti u bil-gurament tieghu jghid :

Chairman Imhalled M Mallia :

Mela l-ewwel domanda li ser naghmillek hija din, inti qieghed taht investigazzjoni jew taht Police Bail?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhalled M Mallia :

Taghzel li ma tirrispondix. L-inkarigu ta' dan il-Bord huwa li jinvestiga l-agir, decizionijiet jew nuqqasijiet tal-amministrazzjoni jew fl-amministrazzjoni li setghu waslu ghal sens ta' impunita`, nuqqas ta' proceduri kontra persuni, involviment bejn persuni f' karigi ufficjali u terzi privati oltre l-etika politika. Ghandek xi stqarrija li trid taghmel lil dan il-Bord f'dan ir-rigward?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Sur Imhalled, ghar-rigward ta' l-ewwel domanda, ghax ghaddieli rimarka Dr Tonna Lowell u nahseb li huwa korrett, l-ewwel domanda tal-Bord, ir-risposta..

Imhalled A Lofaro :

Wegibha hu.

Dr Jason Azzopardi :

...illi ivverbalizzaha.

Imhalled A Lofaro :

Wegibha hu.

Dr Jason Azzopardi :

..

Imhalled A Lofaro :

Hekk hu. Hekk ghedt inti ezatt

Chairman Imhalled M Mallia :

Inti lest li twiegeb xi domandi dwar r-relazzjoni tieghek ma' Keith Schembri, Konrad Mizzi, Joseph Muscat?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhalled M Mallia :

Lest illi twiegeb domandi dwar l-involvement tieghek fl-Electrogas u fit-Twettieq tal-RfP dwar il-Powerstation u l-Generazzjoni tal-Energija?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhalled M Mallia :

Inti lest illi twiegeb domandi dwar l-ultimate beneficial owners ta' dawn il-kumpaniji li se nsemmilek? Willerby Trade Incorporating; SPX Services Ltd; NBT Technology Ltd; Wahaat Services; Nexia BT Projects; Capital Knight Ltd; 8 Point Services Limited; Nexia BT Holdings Limited; Nexia BT Holdings Consulting Limited; BT International Limited; Nexia BT Advisory Services Limited; Nexia BT Consulting Limited; Nexia BT Projects Limited; BTI Management Ltd; BT Consulting Ltd; KBT Holdings Ltd; SOPNIF Ltd; Awny Properties Limited; MBK Limited; Meander Holding Limited; NGP Holding Limited; Y2 Holdings Limited; Gladiator Limited; Gladiator Racing Limited; Mossack Fonseca & Company Ltd; Automotors Malta Limited; Blue Tower Limited; CHF Creativity Holding Limited; Europay Limited; Gordon Limited; Headway Holding Ltd; Isabel Research and Markets Ltd; Rekaz Invest Ltd; Soulman Limited; Tend Shipping Limited; Tenker Holding Limited; Voluntas Malta Limited; Vapp Limited; Koufra Holdings Limited; Kvasir Holding Limited; Island Sightseeing Limited; Opus Investments Limited; Online Technologies Holding Limited; Palor Limited; Ratatouille Limited; Santa Cruz Holdings Limited; Tend Shipping Limited; Vehomind Limited; Zawia Holdings Limited; SSI Holdings Limited; B2A Holding Limited; B2A Bridge to Asia Limited; Geo Capital Limited; Cornwell

Investment Limited; Devon Limited; Alcala BTI Management Limited; Atrium Investment Limited;

Issa dawn huma entities illi huma struck off. Vellmari II Shipping Limited; Astro Shipping Malta Limited; NC Yacht Malta Limited; Zonqor Estates Ltd; u SG Limited.

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

B' mod partikolari tista' twiegeb domandi dwar x' tip ta' negozju sar f' dawn il-kumpanija? Willerby Trade Incorporated; Meander Holding Limited; Mossack Fonseca & Company Ltd; B2A Bridge to Asia Limited; u BT International Limited.

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Issa dwar Pilatus Bank u l-FIAU Report bejn inti Schembri allegatament.

Imhallef A Lofaro :

Is-Sur Keith Schembri.

Chairman Imhallef M Mallia :

Ir-Rapport tal-FIAU li kien ippubblikat fil-media u li t-titolu tieghu huwa 'Ir-rapport tal-FIAU li jikxef il-korruzzjoni ta' Keith Schembri mal-Bejgh tal-Passaporti' inti qrajtu?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma illi Willerby Trade Incorporated wettqet bank transfers favur kont bankarju li jappartjeni lil Keith Schembri?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Huwa minnu li BT International Limited harget invoices ghal hlasijiet li jammontaw ghal one hundred sixty-six thousand eight hundred and thirty one Euros and ninety cents (€166,831.90c) ghal servizzi rezi? Tikkonferma li

minkejja li dawn l-invoices gew imqajma minn BT International Limited izda thallset Willerby Trade Incorporated ghalihom?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Willerby Trade Incorporated ma hijiex agent akkreditat taht l-Individual Investor Programme?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li dawn il-pagamenti saru bhala hlas ta' referral fee ghaliex Willerby Trade Incorporated kienet ghaddietlek xoghol li tirrigwarda l-IIP?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Willerby Trade Incorporated ma hijiex shareholder ta' Nexia BT Holdings Limited?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Willerby Trade Incorporated ma hijiex dovuta dividends minn Nexia BT Holdings Limited jew minn BT International?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li kien hemm ftehim ma Keith Schembri sabiex dawn il-flus fl-ahhar jghaddu ghand kont bankarju tieghu fil-Pilatus Bank?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li ma huwiex minnu li inti kellek bzonn self ta' mitt elf ewro sabiex tigi mhejjun fi proceduri ta' separazzjoni personali?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Kif tispjega li sar dan is-suppst loan fit-12 ta' Marzu 2012 suppost minhabba s-separazzjoni personali li sehhet fit-13 ta' Awwissu 2014?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

La darba inti tajt lill-entitajiet involuti dan il-loan agreement bhala r-raguni ghal dawn il-hlasijiet, kif tispjega l-htiega li sabiex thallas lura dan is-self inti kellek bzonn tohrog invoices minn kumpanija, biex tithallas kumpanija ohra li hija registrata fil-British Virgin Islands, biex imbaghad dawn il-flus jghaddu ghand Keith Schembri?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Il-loan agreement veru li kien iffirmit fit-12 ta' Marzu 2012 jew gie ffirmit wara li nqabbdet din l-iskema?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Skont rapport mahrug mill-FIAU u ppubblikat fil-media bit-titolu 'Ir-Rapport tal-FIAU Dwar il-Pagamenti li ghaddew minn Keith Schembri lil Adrian Hillman' Lester Holdings Group Limited hija ta' Adrian Hillman u li l-istess Hillman ta' prokura lilek u lil Karl Cini ta' Nexia BT sabiex intom timmanigjaw din il-kumpanija. Dan tikkonfermah?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Din il-prokura kienet tiskadi fil-5 ta' Lulju 2016. Giet estiza?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Rezoluzzjoni tal-kumpanija Lester Holdings Group Limited tal-1 ta' Mejju 2015 jawtorizza lil Karl Cini sabiex jiftah kont bankarju fil-Pilatus Bank liema kont jigi operat minn Adrian Hillman. Tikkonferma dan?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Dan ir-rapport jghid ukoll li Malmos Limited hija kumpanija ta' Keith Schembri izda li inti bhala Brian Tonna inti firmatarju ghal Malmos Limited. Inti dan tikkonfermah?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li l-kontijiet bankarji ta' Lester Holdings Group Limited ircevev flus minghand Kasco Limited?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Meta Karl Cini fi Frar 2013 mar il-Panama biex jiltaqa' ma Mossack Fonseca, dan kien qiegħed iwettaq xogħol għal kumpanija Nexia BT, jew BT International Limited jew għal xi kumpanija tiegħek jew li inti għandek xi involviment fiha?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li inti tajt servizzi lil Konrad Mizzi sabiex jiftah Rotura Trust fi New Zealand?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li inti tajt servizzi ghat-twettieq ta' Hearnville Incorporated?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li inti tajt servizzi sabiex Hearnville Incorporated tiftah kontijiet bankarji fid-Dubai?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Nexia BT tramite Karl Cini kienet talbet lil Mossack Fonseca sabiex tirrizervalta tliet kumpaniji u cioe` Egrant Incorporated, Hearnville u Tillgate Incorporated?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Egrant Incorporated giet registrata fit-8 ta' Lulju 2013...

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

... Hearnville Incorporated fid-9 ta' Lulju 2013 u Tillgate Incorporated fil-15 ta' Lulju 2013?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Tikkonferma li Hearnville Incorporated u Tillgate Incorporated saru l-kumpaniji ta' Keith Schembri u Konrad Mizzi?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Allura li l-ultimate beneficial owner ta' Tillgate huwa Keith Schembri u ta' Hearnville huwa Konrad Mizzi?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Dan ir-rapport jghid: “*The communication shows attempts made by Nexia BT to conceal from the FIAU the fact that the companies belonged to Dr Konrad Mizzi and Mr Keith Schembri from the start as is indicted in the email between Mr Daniel Leon and Mr Karl Cini on 7th July 2015.*” Inti taqbel ma din id-dikjarazzjoni?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Fl-4 ta' Awwissu ta' l-2013 inti ffirmajt order forms sabiex jigu registrati Hearnville Incorporated u Tillgate Incorporated. Tikkonferma li inti gejt inkarigat taghmel dan minn Konrad Mizzi u Keith Schembri?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

U liema klijent ghaddiet il-kumpanija Egrant Incorporated.

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Meta sirt taf min kien is-sid ta' 17 Black u t-transactions ghal Keith Schembri u Konrad Mizzi li jirreferu ghal kummerc ghal business li sar ma' 17 Black?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

All right.

Imhallef A Lofaro :

Ghandkom xi domandi ghalih?

Dr Jason Azzopardi :

Bil-permess gentili tal-Bord, xtaqt insaqsi lis-Sur Tonna domanda pjuttos innokkwa. Meta dahal l-ewwel darba fil-Berga ta' Kastilja?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Jekk kellekx mejda minn fejn topera fil-Berga ta' Kastilja?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Il-kumpanija Business to Asia B2A imwaqqfa skont il-ligi Maltija l-object clause taghha x' kienet?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Meta kienet l-ewwel darba li iltqajt professjonalment ma' Keith Schembri?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Meta kienet l-ewwel darba li professjonalment iltqajt m' Chen Cheng?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Meta bdejt tezercita l-professjoni ta' accountant?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Ghadek membru ta' l-Accountancy Board?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Meta l-ahhar li zort il-Panama?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Inti frodist?

Chairman Imhallef M Mallia :

Inti xiex?

Imhallef A Lofaro :

Frodist.

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

X' domanda hi din?

Imhallef A Lofaro :

Imma dik kienet id-domanda.

Dr Jason Azzopardi :

Inti qatt hsilt il-flus tal-klijenti – flus mahmugin?

Ix-Xhud :

Ma nirrispondix.

Chairman Imhallef M Mallia :

Dottore bil-mod ..

Imhallef A Lofaro :

Akkuzi dawn; insomma akkuzi hux.

Chairman Imhallef M Mallia :

Vera illi ghandu dritt illi ma jirrispondix imma mbaghad ma tista' taghmel id-domandi u titfagghom hekk...! all right?

Imhallef A Lofaro :

Tista' tkun tillibellah.

Dr Jason Azzopardi :

Min kien l-ultimate beneficial owner ta' Egrant?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Meta l-ahhar darba kien li kellmuk il-Pulizija?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Kien l-eks Prim Ministru Joseph Muscat illi ordna lill-Ministru Bonnici jhallik topera jew jaghtik direct order mill-Ministeru tal-Ministru Bonnici?

Ix-Xhud :

Ma nirrispondix.

Dr Jason Azzopardi :

Grazzi.

Imhallelf A Lofaro :

Dr Therese ghandek xi domandi..?

Dr Therese Comodini Cachia :

Naf illi l-Bord staqsa xi domandi dwar l-involviment tieghu fl- Electrogas; ma nafx jekk nistax nistaqsi domandi specifici fuq il-partecipazzjoni tieghu f' dak il-process.

Imhallelf A Lofaro :

Domandi iva.

Imhallelf J Said Pullicino :

...jista' jirrispondi ..

Imhallelf A Lofaro :

Domandi iva.

Dr Therese Comodini Cachia :

Ok. Ara, dwar l-involviment tieghek fil-process ta' l-RFP dwar il-PowerStation, tista' tindikalna f' liema pozizzjonijiet inhtart u x' kien ix-xoghol li intlabt twettaq?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Min hattrek u lil min kont tirrispondi ghal xoghlok?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Nexia BT wettqet cost benefit analyses f' dan il-process fid-9 ta' Awwissu 2013 u dan l-istadju ta' l-RFP dwar il-PowerStation. Min inkarigak biex twettaq dan ix-xoghol?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

L-istage 3 Evaluation Committee fl-RFP tal-PowerStation kien jinkludi fih commercial expert li kien impjegat ma' Nexia BT bhala Head Advisory Services; tikkonfermah dan? U kif inghata dan l-inkarigu?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Immorru ghal stage 4 Evaluation Committee t-team leader fi stage 4 Evaluation Committee ta' l-RFP dwar il-PowerStation kien il-managing partner ta' Nexia BT. Inti l-managing partner ta' Nexia BT?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Dan l-inkarigu kif inghata?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Fl-istess kumitat kien hemm zewg membri ohra bhala finance executives li wkoll kienu impjegati ta' Nexia BT. Il-hatra tagghom kif u minn min saret?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

X' tikkumenta dwar li waqt li inti u kollegi tieghi minn Nexia BT kontu fuq l-istage for Evaluation Committee f' ta' l-RFP Nexia BT kienet ukoll qed issir awditur ta' GEM Holdings Ltd.

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Lil Yorgen Fenech, Mark Gasan u Paul Apap Blogna bhala id-diretturi ta' dik il-kumpanija inti meta sirt tafhom?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Kull wiehed minnhom kien klijent tieghek qabel ma inti gejt mahtur awditur ta' GEM Holdings Ltd?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Inti ghadek awditur ta' GEM Holdings Limited?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Kwistjonijiet ohra, lil Joseph Muscat kont tafu qabel is-sena 2013? Kont konsulent tieghu jew hu kien klijent tieghek?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

It-transazzjonijiet inkluzi jew indikati fil-Panama Papers kemm ghas-Sur Schembri u kif ukoll ghas-Sur Mizzi jindikaw illi kollha sehew ftit granet wara l-elezzjoni tas-sena 2013, sahanitra kumpaniji minnhom hemm informazzjoni fir-rapport ta' l-FIAU li huwa ppubblikat illi gew il-kumpanija

per eżempju tas-Sur Mizzi giet registrata jumejn jew tlieta biss wara l-elezzjoni; wahda minnhom jumejn jew tlieta wara li huwa gie mahtur Ministru; kemm kienu ilhom is-Sur Schembri u s-Sur Mizzi li inkarigawk biex tiftah dawg l-istrutturi?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Kemm kienu ilhom klijenti tieghek forsi fuq xoghol iehor?

Ix-Xhud :

Ma nirrispondix.

Dr Therese Comodini Cachia :

Ma nahsibx li ghandi domandi oħrajn

Imhalledf A Lofaro :

Grazzi; tista' tmur.

Din hija s-sustanza tax-xhieda ta' **Brian Tonna** kif giet dettata minnu stess fil-prezenza ta' l-istess xhud.

Niddikjara li traskrivejt bl-aħjar hila tiegħi x-xhieda ta' l-istess xhud.

Saviour Scicluna

Traskrittur